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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,216	07/07/2003	Shunichi Toyoshima	116692003900	7066

25227 7590 08/24/2005

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EXAMINER
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NGUYEN, DUC MINH

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/613,216

Applicant(s)

TOYOSHIMA ET AL.

Examiner

Duc Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-12, 14-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanaka et al (6,263,061).

Consider claims 1, 3, 10, 12, 14-16. Tanaka teaches a customer responding system, including a PBX (fig(s) 1, KSU 1) connected to an external telephone network (see fig(s) 1, CO line), which selectively connects a calling signal from the external telephone network to one internal line in an internal telephone network, plural telephone terminals (see fig(s) 1, DKT 2, SMDR 8, PC 3, 6, MIS 7) connected to the internal telephone network, and plural computer terminals (PC 3, 6) connected to each other through a predetermined network (column(s) 14, line(s) 40-57), which is placed, individually corresponding to the telephone terminal, the system comprising call back message (i.e., caller ID; column(s) 22, line(s) 1 through column(s) 24, line(s) 11) inputting means for accepting the inputting of a call back message with designating the computer terminal corresponding to the requested telephone terminal (column(s) 38, line(s) 37 through column(s) 39, line(s) 59), when the PBX can not get the requested telephone terminal amongst the plural telephone terminals, to receive a, calling signal from the external telephone network; call back data sending means for sending a call back data, displaying the content of the

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call back message accepted by the call back message inputting means, to the designated computer terminal through the network (i.e., caller ID; column(s) 22, line(s) 1 through column(s) 24, line(s) 11; column(s) 38, line(s) 37 through column(s) 39, line(s) 59); call back data receiving means for receiving the call back data sent by the data sending means (i.e., caller ID; column(s) 22, line(s) 1 through column(s) 24, line(s) 11; column(s) 38, line(s) 37 through column(s) 39, line(s) 59); and call back data displaying means, for displaying the received call back data in the designated computer terminal (i.e., caller ID; column(s) 22, line(s) 1 through column(s) 24, line(s) 11; column(s) 38, line(s) 37 through column(s) 39, line(s) 59).

Consider claim 2. Column(s) 22, line(s) 21 through column(s) 24, line(s) 11 read on the limitations of this claim.

Consider claims 5, 11. Column(s) 22, line(s) 1-14, column(s) 23, line(s) 34-44 reads on the limitations of these claims.

Consider claim 6. Fig(s) 2, column(s) 21, line(s) 31 through column(s) 22, line(s) 14 read on the limitations of this claim.

Consider claims 7-8. Column(s) 23, line(s) 24-33 reads on the limitations of these claims.

Consider claim 9. Column(s) 39, line(s) 47-59 reads on the limitations of this claim.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (6,263,061) in view of Sherwood et al (6,324,263).

Consider claims 4, 13. Tanaka does not teach determining whether or not to forward a call from the external telephone network to the requested telephone terminal, according to a business situation.

Sherwood teaches determining whether or not to forward a call from the external telephone network to the requested telephone terminal, according to a business situation (i.e., extension the caller usually call, column(s) 3, line(s) 8-17; column(s) 9, line(s) 35 through column(s) 10, line(s) 14; column(s) 23, line(s) 33 through column(s) 25, line(s) 11) for the purposes of allowing the caller to interrupt the automatic routing process and force transfer to another extension or to an attendant (column(s) 23, line(s) 33-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Sherwood into the teachings of Tanaka for the purposes mentioned above.

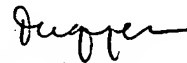
#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (571)272-7503. The examiner can normally be reached on 7:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kuntz Curtis can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Duc Nguyen  
Primary Examiner  
Art Unit 2643

8/15/05